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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,672	01/09/2002	Calvin Morrell JR.	16704-16	8373

7590 09/07/2004  
Attn: Charles Brown  
OPPENHEIMER WOLFF & DONNELLY LLP  
Suite 3800  
2029 Century Park East  
Los Angeles, CA 90067

EXAMINER

HANNE, SARA M

ART UNIT PAPER NUMBER

2179

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

10/043,672

Applicant(s)

MORRELL, CALVIN

Examiner

Sara M Hanne

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-9 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Huck, US Patent 5970230.

As in Claims 1 and 14, Huck teaches the method of layering a link generated from a base site upon a subsequently accessed site to provide access from the subsequently accessed site to a site directly associated with the base site (Column 4, lines 24-30), producing a sensory recognizable icon identifying the link (Figure 3) and causing the link and the sensory recognizable icon to be available to a user when the user accesses the subsequently accessed site after accessing the base site ("incorporates information about the referring Page within the screen that will display the Destination Page to the operator", Column 2, lines 15-19).

As in Claims 2 and 15, Huck teaches the site directly associated with the base site is the base site (Referring URL, Figure 1, steps 10-18).

As in Claim 3, Huck teaches the link is contained within a transferable object (Figure 1, steps 12-16).

As in Claim 4, Huck teaches the transferable object is an applet ("a program which ... incorporates information about the referring Page within the screen that will

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display the Destination Page to the operator", Column 2, lines 13-17 and Figure 1, steps 12-16).

As in Claim 6, Huck teaches the method of receiving, at a first site, a signal from a user in response to the user activating a first link on the first site (user accesses Site B from Site A Fig. 3a to 3b), the first link being associated with a second site (Site B) and the activating causing the user to be directed to the second site (Figure 3b), generating an applet comprising a return recognizable icon (Site A Ref. 50) and link associated with the first site and a sensory transferring the applet to the second site and causing the applet to be operational within the second site (Column 4 lines 30-58).

As in Claim 7, Huck teaches receiving, within the applet, a second signal from a user activating the return link within the applet at the second site and in response to receiving the second signal, causing the user to be re-directed to the first site (Selecting Ref. 50 resulting in a display similar to Figure 3d).

As in Claim 8, Huck teaches receiving, at the second site, a signal from a user in response to the user activating a second link on the second site, the second link being associated with a third site and the activating causing the user to be directed to the third site (Figure 3c and corresponding text from Column 4) generating an applet comprising a return link associated with the first site and a sensory recognizable icon (Site A Ref. 50) and transferring the applet to the third site and causing the applet to be operational within the third site (Column 4, lines 40-48).

As in Claim 9, Huck teaches receiving, within the applet, a second signal from a user activating the return link within the applet at the third site, and in response to

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receiving the second signal, causing the user to be re-directed to the first site (Column 4, lines 49-58).

As in Claim 16, Huck teaches the sensory recognizable indicia comprises a recognizable logo (Figure 3, Ref. 43-45 and 50-52 and corresponding text).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huck, US Patent 5970230 and further in view of Miller, US Patent 6613100.

As in Claims 5, 10 and 12, Huck discloses transmitting previously reviewed web site links to a subsequently viewed site displayed as sensory icons capable of moving within a window displaying the subsequently accessed site (Column 4 lines 30-58). While Huck teaches previously viewed link display, they fail to show the placing of the link icon above the content of the currently viewed page as recited in Claims 10 and 12. In the same field of the invention, Miller teaches a dynamic interface with previously viewed site links similar to that of Huck. In addition, Miller further teaches displaying the links above the content of the current, subsequently viewed site (Ref. 270, Figure 2A). It would have been obvious to one of ordinary skill in the art, having the teachings of Huck and Miller before him at the time the invention was made, to modify the layering of

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icons representing links to the previously viewed site upon a subsequent site taught by Huck to include the display of links above the page content of Miller, in order to obtain a icon representing a link to a previously viewed site above the content of a subsequently accessed site. One would have been motivated to make such a combination because an instant visual indication of the presence of the link, seeing as it is typical to read a page beginning at the top, would have been obtained, as taught by Miller.

As in Claim 11, Huck teaches the applet, when operational within the second site, further causes the sensory recognizable icon to move within a window displaying the content appearing on the second site (Column 4 lines 30-58).

As in Claim 13, Huck teaches the applet, when operational within the third site, further causes the sensory recognizable icon to move within a window displaying the content appearing on the third site (Column 4 lines 30-58).

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huck, US Patent 5970230.

Huck discloses transmitting previously reviewed web site links to a subsequently viewed site displayed as sensory recognizable icons. Huck fails to teach the sensory recognizable indicia comprising a recognizable color as recited in the claims. Within the field of the invention, it would be obvious to one of ordinary skill in the art to represent the links using a recognizable color as is often done in html using text underlined in blue or other colors. One would have been motivated to make such a combination because a visual alert of a link within the page would have been obtained.

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**Conclusion**

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar interface construction of web pages using applets that link to previously viewed sites.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (703) 305-0703. The examiner can normally be reached on M-F 7:30am-4:00pm, off on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smh

BA HUYNH  
PRIMARY EXAMINER

**Notice of References Cited**

Application/Control No.

10/043,672

Applicant(s)/Patent Under  
Reexamination  
MORRELL, CALVIN

Examiner

Sara M Hanne

Art Unit

2179

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**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,970,230	10-1999	Huck, Mark M.	709/224
	B	US-6,613,100	09-2003	Miller, John David	715/526
	C	US-6,535,912	03-2003	Anupam et al.	709/217
	D	US-6,633,316	10-2003	Maddalozzo et al.	345/854
	E	US-6,112,240	08-2000	Pogue et al.	709/224
	F	US-6,636,247	10-2003	Hamzy et al.	345/808
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.